

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW HAMPSHIRE

LES ENTREPRISES DE)	
CONSTRUCTIONS PROFIL INC.,)	
)	Civil Action No. _____
Plaintiff,)	
)	
v.)	PETITION TO ATTACH
)	WITH NOTICE
W.D. FRISELLA CONSTRUCTION)	
MANAGEMENT, INC.,)	
)	
Defendant)	
)	
And)	
)	
TD BANKNORTH,)	
)	
Trustee Defendant.)	
)	

Plaintiff, Les Entreprises de Constructions Profil, Inc. (“Profil”), by and through its attorneys, Sheehan, Phinney, Bass + Green, P.A., petitions for permission to make the following attachments:

<u>Name of Defendant</u>	Category of Property to be Attached (check)	<u>Real Estate</u>	<u>Other</u>	<u>Amount of Attachment</u>
1. W.D. Frisella Construction Management, Inc.	X		X ¹	\$155,806
2. TD Banknorth, Trustee Defendant			X ²	\$155,806

In support of this petition, the Plaintiff certifies that:

The Plaintiff believes there is a reasonable likelihood that the Plaintiff will recover judgment, including interest and costs, in excess of the amount of \$155,806.

¹ All assets of W.D. Frisella Construction Management, Inc., including, but not limited to: cash, accounts, inventory, equipment, contracts, securities, and vehicles located in the State of New Hampshire.

² All assets held for the benefit of W.D. Frisella Construction Management, Inc.

Plaintiff incorporates all facts alleged in the Complaint to Recognize and Enforce Foreign Money-Judgment filed in the above-captioned matter. In addition, Plaintiff states that it has received judgment in the amount of \$186,883.22 (CA) plus costs and interest, which continues to accrue. On March 8, 2007, the date on which the Canadian court issued a Certificate of Non-Appeal, the exchange rate set by the Federal Reserve Bank of New York for Canadian dollars was 1.1802.

/s/ Alain Prevost

To Be Signed by Plaintiff (or Affiant)
(In case of a corporation or partnership,
a duly authorized officer or partner
shall sign.)

CANADA
PROVINCE OF QUEBEC

Personally appeared the person signing the above petition and certification, and swore that it is true to the best of his/her knowledge and belief.

Dated: 29 May 2008

/s/ Gian Michele Cerundolo
Justice of the Peace

NOTICE TO THE DEFENDANT

THE PLAINTIFF INTENDS TO ATTACH YOUR PROPERTY, AS SET FORTH IN THE ABOVE PETITION FOR PERMISSION TO DO SO, TO SECURE ANY JUDGMENT OR DECREE THE PLAINTIFF MAY OBTAIN IN THIS ACTION. YOU HAVE THE RIGHT TO OBJECT TO THE ATTACHMENT, AND TO HAVE A HEARING AS TO WHETHER IT SHOULD BE MADE. IF YOU WISH TO OBJECT, AND HAVE A HEARING, YOU SHOULD FILE A WRITTEN OBJECTION, DETAILING THE REASONS THEREFOR, TOGETHER WITH A REQUEST FOR A HEARING, WITH THE CLERK OF THE COURT, NOT LATER THAN 20 DAYS AFTER SERVICE OF THIS NOTICE UPON YOU.

IF YOU FAIL TO OBJECT BY THAT DATE, YOU WILL BE DEEMED TO HAVE WAIVED ANY OBJECTION.

IF YOU TRANSFER ANY PROPERTY AFTER RECEIVING THIS NOTICE, AND BEFORE THE ATTACHMENT, IF ALLOWED, IS MADE, YOU WILL BE SUBJECT TO THE PROVISIONS OF N.H.RSA 511-A:6.

EVEN IF YOU DO NOT OBJECT TO THE ATTACHMENT, YOU SHOULD FILE AN APPEARANCE WITH THE CLERK OF COURT WITHIN 20 DAYS OF SERVICE UPON YOU UNLESS YOU ARE WILLING THAT THE PLAINTIFF HAVE JUDGMENT BY DEFAULT.

Plaintiff or Plaintiff's Lawyer

ORDER

The plaintiff is granted permission to make the above attachment(s) within 10 days.

Dated: 8/14/08

/s/ Joseph N. Laplante
United States District Judge